

## IN THE CLAIMS

This listing of claims replaces all prior listings:

1. (currently amended) A non-aqueous electrolyte secondary cell comprising:  
a cathode comprising  $\text{Li}_x\text{Fe}_y\text{PO}_4$  having a particle diameter not greater than 1 micrometer  
and wherein  $0 < x \leq 2$  and  $1 \leq y \leq 2$ ;

an anode ~~comprising~~ consisting of:

(1) a sintered carbon material prepared by sintering a binderless carbon material  
capable of doping/dedoping lithium; and

(2) a conductive agent comprising  ~~$\text{D}_s\text{E}_t\text{Li}_u$~~ , wherein D is Li and a tin or silicon,  
containing metal material which forms an alloy or a compound with Li ~~E includes~~  
~~another element, Li is lithium, and  $s > 0$ ,  $t > 0$ , and  $u > 0$ ; and~~  
a non-aqueous electrolyte solution.

2-3. (canceled)

4. (currently amended) A non-aqueous electrolyte secondary cell comprising:  
a cathode having a molded body comprising a cathode active material and a  
conductive agent, said active material comprising  $\text{Li}_x\text{Fe}_y\text{PO}_4$  and having a particle diameter not  
greater than 1 micrometer wherein  $0 < x \leq 2$  and  $1 \leq y \leq 2$ ;

an anode having a molded body ~~comprising a material selected from the group~~  
~~consisting of an anode active~~ (1) a binderless sintered carbon material capable of  
doping/dedoping lithium, and (2) a conductive agent comprising  $\text{D}_s\text{E}_t\text{Li}_u$ , wherein D is tin or  
silicon, E includes another element, Li is lithium, and  $s > 0$ ,  $t > 0$ , and  $u > 0$  and a tin or silicon  
metal material which forms an alloy or a compound with Li; and

a non-aqueous electrolyte solution.

5-13. (canceled)

14. (previously presented) The non-aqueous electrolyte secondary cell of Claim 1, wherein said carbon material is selected from the group consisting of non-graphitizable carbon, graphitizable carbon, graphite, and mixtures thereof.

15. (previously presented) The non-aqueous electrolyte secondary cell of Claim 1, wherein said non-aqueous electrolyte solution comprises an electrolyte salt and a non-aqueous solvent.

16. (previously presented) The non-aqueous electrolyte secondary cell of Claim 15, wherein said electrolyte salt is a lithium salt having ion conductivity.

17. (previously presented) The non-aqueous electrolyte secondary cell of Claim 16, wherein said lithium salt is selected from the group consisting of  $\text{LiClO}_4$ ,  $\text{LiAsF}_6$ ,  $\text{LiPF}_6$ ,  $\text{LiBF}_4$ ,  $\text{LiB}(\text{C}_6\text{H}_5)_4$ ,  $\text{LiCl}$ ,  $\text{LiBr}$ ,  $\text{CH}_3\text{SO}_3\text{Li}$ ,  $\text{N}(\text{C}_n\text{F}_{2n}\text{SO}_2)_2\text{Li}$ , and mixtures thereof.

18. (previously presented) The non-aqueous electrolyte secondary cell of Claim 15, wherein said non-aqueous solvent is selected from the group consisting of propylene carbonate, ethylene carbonate, 1,2-dimethoxyethane, 1,2-diethoxyethane, diethyl carbonate, methyl ethyl carbonate, dimethyl carbonate,  $\gamma$ -butyrolactone, tetrahydrofuran, 1,3-dioxolane, 4-methyl-1,3-dioxolane, diethyl ether, sulfolane, methyl sulfolane, acetonitrile, propionitrile, and mixtures thereof.

19. (currently amended) The non-aqueous electrolyte secondary cell of Claim 4, wherein ~~said anode active material comprises a~~ sintered carbon material is selected from the group consisting of non-graphitizable carbon, graphitizable carbon, graphite, and mixtures thereof.

20-21. (canceled)

22. (currently amended) The non-aqueous electrolyte secondary cell of Claim 4, wherein ~~a D<sub>s</sub>E<sub>t</sub> portion of the silicon containing metal material of the conductive agent comprising D<sub>s</sub>E<sub>t</sub>Li includes a material~~ is selected from a group of materials consisting of  $\text{SiB}_4$ ,  $\text{SiB}_6$ ,  $\text{Mg}_2\text{Si}$ ,  $\text{TiSi}_2$ ,  $\text{MoSi}_2$ ,  $\text{CoSi}_2$ ,  $\text{NiSi}_2$ ,  $\text{CaSi}_2$ ,  $\text{CrSi}_2$ ,  $\text{Cu}_5\text{Si}$ ,  $\text{FeSi}_2$ ,  $\text{MnSi}_2$ ,  $\text{NbSi}_2$ ,  $\text{TaSi}_2$ ,  $\text{VSi}$ ,  $\text{WSi}_2$ , and  $\text{ZnSi}_2$  and mixtures thereof.

23. (previously presented) The non-aqueous electrolyte secondary cell of Claim 4, wherein said non-aqueous electrolyte solution comprises an electrolyte salt and a non-aqueous solvent.

24. (previously presented) The non-aqueous electrolyte secondary cell of Claim 23, wherein said electrolyte salt is a lithium salt having ion conductivity.

25. (previously presented) The non-aqueous electrolyte secondary cell of Claim 24, wherein said lithium salt is selected from the group consisting of  $\text{LiClO}_4$ ,  $\text{LiAsF}_6$ ,  $\text{LiPF}_6$ ,  $\text{LiBF}_4$ ,  $\text{LiB}(\text{C}_6\text{H}_5)_4$ ,  $\text{LiCl}$ ,  $\text{LiBr}$ ,  $\text{CH}_3\text{SO}_3\text{Li}$ ,  $\text{N}(\text{C}_n\text{F}_{2n}\text{SO}_2)_2\text{Li}$ , and mixtures thereof.

26. (previously presented) The non-aqueous electrolyte secondary cell of Claim 23, wherein said non-aqueous solvent is selected from the group consisting of propylene carbonate, ethylene carbonate, 1,2-dimethoxyethane, 1,2-diethoxyethane, diethyl carbonate, methyl ethyl carbonate, dimethyl carbonate,  $\gamma$ -butyrolactone, tetrahydrofuran, 1,3-dioxolane, 4-methyl-1,3-dioxolane, diethyl ether, sulfolane, methyl sulfolane, acetonitrile, propionitrile, and mixtures thereof.

27. (previously presented) The non-aqueous electrolyte secondary cell of Claim 1, wherein the cathode further comprises a conductive material and a binder.

28. (previously presented) The non-aqueous electrolyte secondary cell of Claim 1, wherein the anode further includes a molded and sintered current collector material combined with said sintered carbon material.

29. (currently amended) The non-aqueous electrolyte secondary cell of Claim 1, wherein ~~the tin or silicon containing metal material includes a metal~~ is selected from a the list of elements and compounds consisting of  ~~$\text{B}_4$ ,  $\text{B}_6$ ,  $\text{B}$ ,  $\text{Mg}_2$ ,  $\text{Mg}$~~ , Ti, Mo, Co, Ni, Ca, Cr, ~~Cu~~, Cu, Fe, Mn, Nb, Ta, V, W,  ~~$\text{Mg}_2\text{Si}$ ,  $\text{Ni}_2\text{Si}$~~ .

30. (previously presented) The non-aqueous electrolyte secondary cell of Claim 4, wherein said cathode further comprises a conductive material and a binder.

31. (previously presented) The non-aqueous electrolyte secondary cell of Claim 4, wherein the anode further includes a molded and sintered current collector material combined with said sintered carbon material.

32. (currently amended) The non-aqueous electrolyte secondary cell of Claim 4, wherein ~~the~~ the silicon metal material includes  $\text{Mg}_2\text{Si}$ ,  $\text{Ni}_2\text{Si}$ .